

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HENDRICKS & LEWIS, PLLC,

10 Plaintiff,

11 v.

12 GEORGE CLINTON,

13 Defendant.

Case No. C12-0841RSL

ORDER GRANTING IN PART
PLAINTIFF'S MOTION TO SEAL

14
15 This matter comes before the Court on "Plaintiff's Motion for Leave to File
16 Under Seal Exhibits O, R, T, and U to the Declaration of Katherine Hendricks." Dkt. # 46.
17 Plaintiff seeks permission to file certain documents under seal because defendant
18 designated the documents or certain topics as confidential during discovery. Defendant has
19 not responded to the motion.

20 "There is a strong presumption of public access to the court's files," and,
21 absent a "compelling showing that the public's right of access is outweighed by the
22 interests of the public and the parties," a seal is not appropriate. Local Civil Rule 5(g)(2).
23 A party's unilateral designation of a document as "confidential" does not, in and of itself,
24 establish the necessary "compelling showing" under Local Civil Rule 5(g)(2). The Court
25 will normally require the party opposing public dissemination to show that the information

26 ORDER GRANTING IN PART
PLAINTIFF'S MOTION TO SEAL - 1

1 is actually confidential, to discuss the possible implications of public disclosure, and to
2 address the public's interest in access to these records. Because Mr. Clinton has until
3 recently been proceeding pro se, the Court has reviewed the relevant documents and finds
4 as follows:

5
6 Plaintiff's motion to seal is GRANTED in part. Exhibits O and U are not
7 confidential. The Clerk of Court is directed to unseal both Exhibit O and Exhibit U at Dkt.
8 # 48. Out of an abundance of caution, Exhibits R and T will remain sealed. Future failures
9 to support a claim of confidentiality will be considered a waiver of the claim.

10
11 Dated this 26th day of October, 2012.

12
13 

14 Robert S. Lasnik
15 United States District Judge
16
17
18
19
20
21
22
23
24
25